

**IN THE PROBATE COURT OF MAHONING COUNTY, OHIO
JUDGE TIMOTHY P. MALONEY**

IN THE MATTER OF THE
ESTATE OF : _____, DECEASED

CASE NO.: _____

**ENTRY APPROVING SETTLEMENT AND DISTRIBUTION OF
WRONGFUL DEATH AND SURVIVAL CLAIMS**

[O.R.C. 2125.01, *et seq.*; Sup. R. 70; Local Rule 70.01, *et seq.*]

Upon hearing the application to approve settlement and distribution of the wrongful death and survival claims, the Court:

- ☐ Approves the proffered settlement in the gross sum of \$ _____, including funds attributable to the purchase of an annuity(s) in the sum of \$ _____.
- ☐ Orders the payment of \$ _____ be applied to decedent's funeral, burial or medical expenses.
- ☐ Orders the payment of \$ _____ to the Clerk of this Court for the costs attributable to this application.
- ☐ Orders the payment of \$ _____ to the fiduciary for services rendered under this application.
- ☐ Orders the payment of \$ _____ to the Estate attorney for services rendered under this application.
- ☐ Orders payment of \$ _____ to the litigation counsel for reimbursement of case expenses and \$ _____ for attorney fees for services rendered with respect to this application.
- ☐ Orders that of the net proceeds of \$ _____, \$ _____ shall be allocated to the wrongful death claim and \$ _____ to the survival claim. The amount allocated to the survival claim shall be considered an asset of the estate and shall be reflected in the fiduciary's inventory and account of the administration of the estate.
- ☐ Finds that all of the beneficiaries of the wrongful death claim are of an equal degree of consanguinity, are adults and have agreed how the net proceeds allocated to the wrongful death claim are to be distributed.
- ☐ Orders distribution of the net proceeds allocated to the wrongful death claim to the surviving spouse, children, parents and other next of kin in the equitable shares shown below and as fixed by the Court, having due regard for the injury and loss to each beneficiary resulting from the death and for the age and condition of the beneficiaries.

Name	Residence Address	Relationship to Decedent	Birth date of Minor	Amount

☐ The Court additionally Orders that with respect to each minor beneficiary:

☐ That the amount of \$_____ be deposited in an interest bearing, restricted account in lieu of bond pursuant to O.R.C. §2111.05, and for each minor.

☐ That the amount of \$_____ be paid to the Guardian of the Estate of each such minor.

☐ That the amount of \$_____ be deposited in a Trust for the benefit of each such minor until twenty-five years of age.

☐ That separate filings and a *Verification of Receipt and Deposit* shall be supplied as to each minor beneficiary within _____ days.

The Court further authorizes the Fiduciary to execute a release which, upon full payment, shall be a discharge of the claim.

The Court additionally Orders the Fiduciary and the attorney of record to report the distribution of the proceeds within thirty (30) days of the date of this Entry.

☐ The Court further Orders:

Prepared by:

Approved by:

Signature of Attorney

Hon. Timothy P. Maloney, Judge

Typed or Printed Name

Attorney Registration No.: _____

Date